REMARKS

The Examiner has objected to the drawings, specification, and claims. Such objections have been overcome by virtue of the clarifications to the drawings, specification, and claims made hereinabove. In particular, the objection to Fig. 3 was overcome by amendment of the specification, rather than by amendment of the drawings.

The Examiner has rejected Claims 1, 4-10, 13-14, 22, 25-31, 34-35, 43, 46-52, and 55-56 under 35 U.S.C. 102(b) as being anticipated by Rowley (USPN 5,999,740). Applicant respectfully disagrees with this rejection, especially in view of the amendments made hereinabove.

Specifically, the Examiner has relied on the following excerpt from Rowley to meet applicant's claimed "initiating an update of a plurality of anti-virus programs" (see this or similar, but not identical language in each of the independent claims).

> "FIGS. 3A and 3B show the operation of the update program 110. This program can be run at any time on request by a user. Conveniently, it is a Microsoft Windows program.
>
> (Step 301) Referring to FIG. 3A, the update program first contacts one of the servers 102, by way of the network 103, to obtain the live release file from that server." (col. 5, lines 22-28)

Applicant respectfully disagrees with this assertion. Rowley merely suggests updating general software applications. There is absolutely not even a suggestion of initiating an update of a plurality of anti-virus programs, as claimed. Only applicant teaches and claims such a technique for specifically updating *multiple* anti-virus programs, in the manner claimed.

The Examiner is reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a

single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the identical invention must be shown in as complete detail as contained in the claim. *Richardson v. Suzuki Motor Co.* 868 F.2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

This criterion has simply not been met by the Rowley reference, in view of the remarks made hereinabove. Nevertheless, in the spirit of expediting the prosecution of the present application, applicant has further distinguished the claimed invention from the prior art by claiming, in each of the independent claims, the following subject matter (or similar, but not identical, language):

"initiating an update of a plurality of anti-virus programs by an update control program; wherein each of the anti-virus programs is associated with a virus profile that is separate from the plurality of anti-virus programs and the update control program, and stored in memory; wherein each virus profile includes virus signature patterns that allow the anti-virus program associated with the virus profile to detect the presence of viruses in files and transferred data that are being scanned by the anti-virus program;

determining information to be updated;

scheduling when updates are to occur and which anti-virus programs of the plurality of anti-virus programs are to be updated;

comparing at least one of version numbers, creation dates and modification dates of update files stored on a virus update server with the virus profiles;

transferring a plurality of updates; and

installing the plurality of updates" (emphasis added).

Thus, the specific manner in which the update technique is tailored to accommodate *multiple* anti-virus programs is now further emphasized. A notice of

allowance or a specific prior art showing of all of applicant's claim limitations, in combination with the remaining claim elements, is respectfully requested.

The Examiner has further rejected Claims 2-3, 23-24, and 44-45 under 35 USC 103(a) as being unpatentable over Rowley, and further in view of Fletcher et al. (USPN 6,009,274). The Examiner has further rejected Claims 11-12, 15-19, 32-33, 36-40, 53-54, and 57-61 under 35 USC 103(a) as being unpatentable over Rowley, and further in view of Gupta et al. (USPN 6,226,752). The Examiner has still further rejected Claims 20-21, 41-42, and 62-63 under 35 USC 103(a) as being unpatentable over Rowley and Gupta, and further in view of Fletcher et al. Applicant respectfully disagrees with such rejections. Specifically, the foregoing claims are dependent claims depending from the independent claims subject to the arguments/amendments made hereinabove. By virtue of such dependence, such claims are further deemed allowable.

Still yet, applicant brings to the Examiner's attention the following additional dependent claims that have been added, for full consideration:

"wherein the comparison involves file sizes, and presence or absence of files" (see Claim 64);

"wherein the comparison involves the version numbers, the creation dates, the modification dates, file sizes, and presence or absence of files" (see Claim 65);

"wherein the update control program includes a protocol handler, a configuration manager, an update scheduler, and unpacking routines" (see Claim 66);

"wherein the update scheduler provides a capability to schedule when updates are to occur and which of the virus profiles and the anti-virus programs are to be updated" (see Claim 67);

"wherein the configuration manager provides a capability to examine configurations to determine which of the virus profiles and the anti-virus programs are to be updated" (see Claim 68);

"wherein the determination is carried out by comparing the version numbers, the creation dates, and the modification dates of update files stored on the virus update server with the virus profiles" (see Claim 69);

"wherein the protocol handler provides a capability to transfer the updates using a plurality of protocols including hypertext transfer protocol (HTTP), file transfer protocol (FTP), and proprietary protocols" (see Claim 70);

"wherein the unpacking routines provide a capability to unpack the updates to correct locations by decompressing compressed files, decrypting encrypted files, and copying files to directories" (see Claim 71); and

"wherein the update instructions control an operation of the update control program by specifying when updates are to occur and which of the virus profiles and the anti-virus programs are to be updated; the version numbers, and the creation and modification dates that are to be used to determine what needs to be updated; protocols that are to be used; and locations to which files are to be unpacked" (see Claim 72).

Again, a notice of allowance or a specific prior art showing of all of applicant's claim limitations, in combination with the remaining claim elements, is respectfully requested.
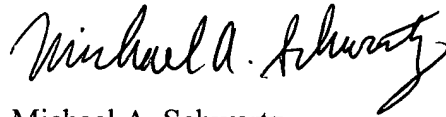
Additional Fees:

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to Deposit Account No. 19-5127 (19903.0005).

Conclusion

In view of the foregoing, all of the Examiner's rejections to the claims are believed to be overcome. The Applicants respectfully request reconsideration and issuance of a Notice of Allowance for all the claims remaining in the application. Should the Examiner feel further communication would facilitate prosecution, he is urged to call the undersigned at the phone number provided below.

Respectfully Submitted,

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Dated: April 21, 2005

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Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 2. This sheet, which includes Fig. 2, replaces the original sheet including Fig. 2. In Figure 2, previously omitted reference numeral 200 has been added.

Attachment: Replacement Sheet

                Annotated Sheet Showing Changes

Fig. 2

200

**102
COMPUTER SYSTEM**

204 INPUT/ OUTPUT	202 CPU	206 NETWORK ADAPTER

104 NETWORK

**208
MEMORY**

**112
ANTI-VIRUS PROGRAMS**

**110
VIRUS PROFILES**

**108
UPDATE CONTROL PROGRAM**

**214
PROTOCOL HANDLER**

**216
CONFIGURATION MANGAGER**

**218
UPDATE SCHEDULER**

**220
UNPACKING ROUTINES**

**210
UPDATE INSTRUCTIONS**

**212
OPERATING SYSTEM**

ANNOTATED SHEET SHOWING CHANGES